

REMARKS

This application has been reviewed in light of the Office Action dated January 13, 2005. Claims 1, 3 -6, 9, 30, 33 and 37 - 44 are presented for examination. Claims 1, 30, 33, 37, 43 and 44 have been amended to define still more clearly what Applicant regards as his invention. Claims 1, 30, 33, 37, 43 and 44 are in independent form. Favorable reconsideration is requested.

Initially, Applicant confirms that the substance of the telephone interview of February 28, 2005 was as described in the Interview Summary, pursuant to which Applicant understands the Examiner will return an initialed copy of the most recently filed form PTO-1449 with his next action.

Applicant thanks the Examiner for his indication that Claims 5, 9, 40 and 42 would be allowable if rewritten in independent form. Those claims have not been so rewritten because, for the reasons given below, the respective base claim of each is believed to be allowable.

The Official Action entered rejections of Claims 1, 3, 4, 6, 30, 33, 37 - 39, 41, 43 and 44 under 35 U.S.C. 103(a) over U.S. Patent No. 6,330,083 (Nabeshima et al.) in view of U.S. Patent No. 6,034,789 (Kawai).

As shown above, Applicant has amended independent Claims 1, 30, 33, 37, 43 and 44 in terms that more clearly define what he regards as his invention. Applicant submits that these amended independent claims, together with the remaining claims dependent thereon, are patentably distinct from the cited prior art for at least the following reasons.

Independent Claim 1 is directed to an image input apparatus that comprises a photoelectric conversion unit adapted to acquire image information of an object from a plurality of divided areas and to output signals from each of a plurality of output units corresponding to respective ones of the areas. In this apparatus, each of the areas includes a plurality of effective pixels and a plurality of non-image pixels (*See, e.g.,* Figure 10).¹ Also provided in the apparatus is a correcting unit adapted to correct offset components contained in the signals output from each of the output units during a period of acquiring the image information. The correction is performed in accordance with (i) a first signal output from the effective pixels during a period other than the image information acquiring, (ii) a second signal output from the non-image pixels during the period other than the image information acquiring, and (iii) a third signal output from the non-image pixels during the period of acquiring image information.

Nabeshima does not teach or suggest all of these features and, from the Office Action, it is understood that the Examiner does not disagree.

Nabeshima relates to conventional photoelectric conversion units adapted to acquire image information of an object. The Nabeshima apparatus, which uses a linear array of pixels (see Fig. 6A) to obtain image data, periodically detects the light output of the fluorescent light source used to illuminate the document being read, and a correction is performed to compensate for observed fluctuations in the light output. The timing at which the periodic observations is made can itself be controlled based on various factors,

¹It is to be understood that the claim scope is not limited to the details of the embodiment(s) referred to.

including the number of documents that have been read, the copying mode that has been set, etc.

Nabeshima discusses obtaining image data from a plurality of divided areas and outputting signals from each of a plurality of output units corresponding to those areas. Nabeshima also discusses an image reading section IR including a CDS section that takes a difference between a signal in a period representing a black output and a signal in a signal period within one pixel by two inputted sampling pulses, in order to remove a noise portion generated by a drive pulse (RS) from the output waveform of a reading means (CCD) and taking out only the stable portion of the output signal.

Applicant submits that nothing has been found, or pointed out, in that patent that would teach or suggest any arrangement in which “each of the areas includes a plurality of effective pixels and a plurality of non-image pixels,” as recited in Claim 1. Moreover, nothing in Nabeshima would teach or suggest such an apparatus that also performs a correction based on three signals as recited in Claim 1, i.e., “correcting offset components contained in the signals output from each of the output units during a period of acquiring the image information, in accordance with a first signal output from the plurality of effective pixels during a period other than the image information acquiring, a second signal output from the plurality of non-image pixels during the period other than the image information acquiring, and a third signal output from the plurality of non-image pixels during the period of acquiring image information,” as recited in Claim 1.

Even if Kawai is deemed to show all that it is cited for, and even assuming the proposed combination of that patent with Nabeshima would be proper, the result of

such combination would still fail to meet the terms of Claim 1, and that claim therefore is deemed clearly allowable over both patents.

Independent Claim 37 recites features similar to those discussed above with respect to Claim 1 and, therefore, is also believed to be patentable over the prior art of Nabeshima and Kawai.

Each of the other independent claims is either a method claim or a storage-medium claim corresponding to one or the other of the apparatus claims discussed above, and is also deemed allowable by virtue of at least the reasons given above with regard to the respective apparatus claims.

A review of the other art of record, has failed to reveal anything which, in Applicant's opinion, would remedy the deficiencies of the art discussed above, as a reference against independent Claim 1, and that claim is therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration, of the patentability of each on its own merits is respectfully requested.


This Amendment After Final Action is believed clearly to place this application in condition for allowance and its entry is therefore believed proper under 37 C.F.R. § 1.116. Accordingly, entry of this Amendment After Final Action, as an earnest effort to advance prosecution and reduce the number of issues, is respectfully requested. Should the Examiner believe that issues remain outstanding, he is respectfully requested to

contact Applicant's undersigned attorney in an effort to resolve such issues and advance the case to issue.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Applicant's undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



Leonard P. Diana
Attorney for Applicant
Registration No. 29,296

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200